

GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT

Public servants – Director of Boilers – Departmental action against Sri B.Yogeswara Rao, Deputy Chief Inspector of Boilers, as he failed to intimate / take prior permission for acquisition of assets by violation Andhra Pradesh Civil Services (Conduct) Rules, 1964 - Placed before Commissioner of Inquiries- Report of the Commissioner of Inquiries received – Communicated – Representation received –Show cause notice issued - Andhra Pradesh Public Service Commission Concurrence received – Imposed the punishment of 25% cut in pension permanently in the departmental action – Orders - Issued.

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LABOUR EMPLOYMENT TRAINING AND FACTORIES (IMS& VIG) DEPARTMENT

G.O.MS.No. 21

Dated: 02-05-2016.

Read the following:-

1. Complaint petition from Sri P.P. Rao, Dt: 28.06.2001.
- 2, Govt. D.O.Lr No. 4903/Ser.A2/2001-1, Dated 08.10.2001.
- 3, From DG, ACB., Rc.No. 44/RCA-CRI/2002, Dated 28.05.2002.
- 4,G.O.Ms.No. 99, Energy (Vig) Department, Dated 28.10.2005.
- 5, Govt. Memo.No. 4903/Vig/A2/2001-19, Dated 09.09.2005.
- 6, Representation Dt: 05.12.2005 received from Sri B.Yogeswara Rao, received through DOB Lr. Dt. 30.04.2007.
7. From DOB, A.P., Hyd Lr No. D1/19088/2005, Dated 30.04.2007.
8. G.O.Rt.No. 25, Energy (Vig) Deptt., Dated 17.02.2009.
9. From COI, Hyd. D.O.Lr No. 262/COI-J/2009, Dated 29.12.2012.
- 10.Govt. Memo. No. 4903/Vig/2001, Dated 06.03.2013.
11. Representation from Sri B.Yogeswara Rao, Dy.Chief Inspector of Boilers (Retd.), Dated 31.05.2013.
12. Govt.Memo.No. 4903/vig/2008, Dated 25.07.2013.
13. Representation of Sri B.Yogeswara Rao, dated 06.12.2013.
14. Govt. Letter No. 4903/Vig/2008-, Dated 01.01.2014.
15. From APPSC, Lr No. 312/RT/3/2014, Dated 29.04.2015.
16. Govt. Memo.No. 3073/vig/02-27, Dated 07.03.2008.

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ORDER

In the letter 2<sup>nd</sup> read above, Government have requested the Director General, Anti Corruption Bureau, Hyderabad to conduct discreet enquiry on the complaints made against Sri B.Yogeswara Rao, Deputy Chief Inspector of Boilers in the complaint 1<sup>st</sup> read above, regarding acquisition of disproportionate assets, and further requested to furnish the detailed report to Government.

2. Whereas, in the letter 3<sup>rd</sup> read above, the Director General, Anti Corruption Bureau, Hyderabad in his final report has requested the Government to sanction prosecution in a court of law against Sri B.Yogeswara Rao, Deputy Chief Inspector of Boilers for acquisition of disproportionate assets to the known sources of income and also recommended for departmental action against the said Accused Officer for his failure to intimate / take prior permission for acquisition of assets in violation the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

3. And whereas, in the G.O. 4<sup>th</sup> read above, Government have sanctioned prosecution in court of law against Sri B.Yogeswara Rao, Deputy Chief Inspector of Boilers and further action in this regard is pending in the Anti Corruption Bureau Court. Further, in the Memo 5<sup>th</sup> read above, Government have served the Draft Articles of Charges to the Accused Officer through Director of Boilers to initiate departmental action, as per the recommendation of Director General, Anti Corruption Bureau, Hyderabad .

P.T.O.

4. And whereas, in the letter 6<sup>th</sup> read above, Sri B.Yogeswara Rao, Deputy Chief Inspector of Boilers has submitted his statement of defence, with a request to drop the charges framed against him. In the letter 7<sup>th</sup> read above, the Director of Boilers has recommended to entrust the departmental action case to Commissioner of Inquiries.

5. And whereas, accordingly, Government have entrusted the case for the departmental action against Sri B.Yogeswara Rao, Dy.Chief Inspector of Boilers (Retd.) to Commissioner of Inquiries to conduct regular enquiry, vide G.O. 8<sup>th</sup> read above.

6. And whereas, in the letter 9<sup>th</sup> read above, the Commissioner of Inquiries has submitted report, wherein, the charges I and II against the Charged Officer are partly proved to the extent of acquisition of properties by the family members of Charged Officer without sending intimation to the Government though mandatory as per rules in vogue.

7. And whereas, in the memo 10<sup>th</sup> read above, the Enquiry Officer Report was communicated to Sri B.Yogeswara Rao, Deputy Chief Inspector of Boilers (Retd.), with a direction to submit his explanation within 15 days.

8. And whereas, in the letter 11<sup>th</sup> read above, B.Yogeswara Rao, Deputy Chief Inspector of Boilers (Retd.) has submitted his explanation with a request to condone and exemption of charges framed against him.

9. And whereas, the Government have examined the matter in detail with the material made available and provisionally decided to impose punishment of 25% cut in pension permanently against Sri B.Yogeswara Rao, Deputy Chief Inspector of Boilers (Retd.) under Rule 9 of the Andhra Pradesh Revised Pension Rules, 1980.

10. And whereas, accordingly, a show cause notice was served to Sri B.Yogeswara Rao, Deputy Chief Inspector of Boilers (Retd.) as to why the penalty of 25% cut in pension permanently should not be imposed under the Andhra Pradesh Revised Pension Rules, 1980, vide Memo 12<sup>th</sup> read above. In the letter 13<sup>th</sup> read above, Sri B.Yogeswara Rao has submitted representation.

11. And whereas, the Charged Officer has not brought out any new facts or grounds for consideration, the Government have sought the concurrence of the Andhra Pradesh Public Service Commission in the letter 14<sup>th</sup> read above. The Andhra Pradesh Public Service Commission has concurred with the proposal of Government for imposing the punishment of 25% cut in pension permanently against Sri B.Yogeswara Rao, Deputy Chief Inspector of Boilers, (Retd.) vide letter 15<sup>th</sup> read above..

12. Government, after careful examination of the issue, hereby ordered that the punishment of 25% cut in pension permanently is imposed, under Rule 9 of the Andhra Pradesh Revised Pension Rules 1980 against Sri B.Yogeswara Rao, Deputy Chief Inspector of Boilers(Retd.), as the departmental action for his failure to intimate/take prior permission for acquisition of assets by violating the Andhra Pradesh Civil Service (Conduct ) Rules, 1964.

13. In the Memo 16<sup>th</sup> read above, Government have already imposed the penalty of stoppage of pension and gratuity in full permanently against Sri B.Yogeswara Rao, Deputy Chief Inspector of Boilers (Retd.), in Anti Corruption Bureau trap case, as he was convicted by Anti Corruption Bureau Court. Hence, the punishment in the present case i.e 25% cut in pension permanently cannot be given to effect, till the punishment awarded in trap case inforce (as pension was completely withheld in the trap case.)

P.T.O.

14. The Director Of Boilers, Andhra Pradesh, Hyderabad shall take necessary further action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G.ANANTHA RAMU,  
PRINCIPAL SECRETARY TO GOVERNMENT

To,

The individual through the Director of Boilers, Andhra Pradesh, Hyderabad.

The Director of Boilers, Andhra Pradesh, Hyderabad.

Copy to:-

The Secretary, Andhra Pradesh Vigilance Commission, Hyderabad.

The Secretary, Andhra Pradesh Public Service Commission, Hyderabad.

The Accountant General, Andhra Pradesh, Hyderabad.

Law (B) Department.

//Forwarded ::By order//

SECTION OFFICER